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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,506	05/10/2001	Nicholas J. Call	15360.1	6393

		EXAMINER
7590 07/15/2005		SALIARD, SHANNON S

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ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/852,506	CALL ET AL.
	Examiner	Art Unit	
	Shannon S. Saliard	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>10 May 2001</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-35</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-35</u> is/are rejected.

7) ☒ Claim(s) <u>8 and 20</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>5/10/2001</u> is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4)

because reference characters "110 (page 10, line 11)" and "130 (page 10, lines 13- 14)"

have both been used to designate "the server system." Corrected drawing sheets in

compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if

only one figure is being amended. Each drawing sheet submitted after the filing date of

an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next

Office action. The objection to the drawings will not be held in abeyance.

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they do not include the following reference sign(s) mentioned in the

description: "courier type of connection (page 11, line 10; page 21, line 20)." Corrected

drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office

action to avoid abandonment of the application. Any amended replacement drawing

sheet should include all of the figures appearing on the immediate prior version of the

sheet, even if only one figure is being amended. Each drawing sheet submitted after the

filing date of an application must be labeled in the top margin as either "Replacement

Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by

the examiner, the applicant will be notified and informed of any required corrective

action in the next Office action. The objection to the drawings will not be held in

abeyance.

Claim Objections

3.   **Claim 8** is objected to because of the following informalities: the phrase

"comprises a" appears to be repeated. Appropriate correction is required.

4.   **Claim 20** is objected to because of the following informalities: the claim states

that authentication information should be "at least one" of the event id number,

incremental number, random number, "and" user input. Since "at least one of" precedes

the listing of embodiments, the listing should be stated in the alternative.   Appropriate

correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

5.   **Claim 29** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. A claim cannot depend on itself.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   **Claims 1-4, 9,13, 14, 16-18, 22, and 30** are rejected under 35 U.S.C. 102(e) as

being anticipated by Sansone [U.S. Patent No. 6,454,174].

As per claim 1, Sansone discloses a method of interactively creating a ticket that is

redeemable for admission at a ticketed event in a server system that communicates

with a remote computer system over a network, the method comprising the acts of:

transmitting to the remote computer system a menu that comprises ticket information

associated with at least one ticketed event, wherein the menu is displayed on the

remote computer system; receiving from the remote computer system user input that is

entered at the remote computer system by a user selecting ticket information (column 3,

lines 59-64); creating a ticket for admission to the ticketed event in response to the user

input, the ticket comprising ticketed event information and ticket authentication

information; and transmitting an electronic image of the ticket to the remote computer

system (column 4, lines 30-33).

As per claim 2, Sansone discloses wherein the method further comprises the act of

storing a copy of ticket authentication information in a database of the server system

(column 4, lines 19-30).

As per claim 3, Sansone discloses wherein the method further comprises the act of

transmitting the ticket authentication information to an entity that redeems tickets for

admission to the ticketed event (column 4, lines 5-6).

As per claim 4, Sansone discloses wherein the menu comprises ticket information

associated with a plurality of ticketed events operated by a plurality of entities that

redeem tickets for admission to the plurality of ticketed events (column 4, lines 49-54).

As per claims 9 and 17, Sansone discloses wherein the authentication information is

included in at least one barcode on the ticket (column 1, lines 57-60).

As per claim 13, Sansone discloses wherein the authentication information comprises

user input (column 10, lines 1-15).

As per claim 14, Sansone discloses wherein the at least one barcode comprises at least one of either a Code 39 barcode and a PDF-417 barcode (column 2, lines 40-42).

As per claim 16, a method of interactively creating a ticket that is redeemable for admission at a ticket event in a computer system that communicates with a remote server system over a network, the method comprising the acts of: receiving from the remote server system a menu that comprises ticket information associated with at least one ticketed event; displaying the menu on a display of the computer system; receiving user input that is entered by a user selecting ticket information; transmitting the user input to the remote server system (column 3, lines 59- 64); receiving from the remote server system an electronic image of a ticket that is created at the server system in response to the user input, the ticket comprising ticketed event information and ticket authentication information; and printing a copy of the ticket on a tangible medium, wherein the printed ticket is redeemable for admission at the ticketed event (column 4, lines 30-33).

As per claim 18, Sansone discloses wherein the at least one barcode comprises at least one of either a Code 39 barcode and a PDF-417 barcode (column 2, lines 40-42).

As per claim 22, Sansone discloses a method for redeeming a ticket that is interactively created at a remote server system in response to user input that is entered by a user at a user computer system, the method comprising the acts of: at the user

computer system, receiving over the Internet an electronic image of the ticket from the

remote server system (column 3, lines 59- 64), the ticket comprising ticketed event

information and ticket authentication information; at the user computer system, printing

a copy of the ticket on a tangible medium (column 4, lines 30-33); at an event computer

system, reading the ticketed event information and ticket authentication information that

is located on the ticket; and upon determining that the ticketed event information and

ticket authentication information is valid, redeeming the ticket for admission (column 7,

lines 4-12).

As per claim 30, Sansone discloses a method for authenticating a ticket that is

generated at a remote server system in response to user input that is entered by a user

at a user computer system, the method comprising the acts of: at the user computer

system, receiving over the Internet an electronic image of the ticket from the remote

server system, the ticket comprising ticketed event information and ticket authentication

information; at the remote server system, storing a copy of the ticket authentication

information in a remote server system database (column 3, lines 59- 64); at the

computer system, printing a copy of the ticket on a tangible medium (column 4, lines 30-

33) ; at an event computer system operated by an entity that redeems tickets for

admission to the event, accessing the ticket authentication information from the remote

server system database; at the event computer system, authenticating the ticket by

matching the ticket authentication information on the ticket with the ticket authentication

information that is accessed from the remote server system database; and at the event

computer system, redeeming the authenticated ticket for admission (column 7, lines 4-

12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   **Claims 5-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sansone in view of Keller et al [U.S. Patent No. 6,304,850].

As per claim 5, Sansone discloses a method of interactively creating a ticket that is

redeemable for admission at a ticketed event in a server system that communicates

with a remote computer system over a network, the method comprising the acts of:

transmitting to the remote computer system a menu that comprises ticket information

associated with at least one ticketed event, wherein the menu is displayed on the

remote computer system; receiving from the remote computer system user input that is

entered at the remote computer system by a user selecting ticket information (column 3,

lines 59-64); creating a ticket for admission to the ticketed event in response to the user

input, the ticket comprising ticketed event information and ticket authentication

information; and transmitting an electronic image of the ticket to the remote computer

system (column 4, lines 30-33). Sansone fails to disclose that the method further

comprises the act of transmitting an email message to the user regarding the ticket and

the ticketed event. Keller discloses a method further comprising the act of transmitting

an email message to the user regarding the ticket and the ticketed event (column 6,

lines 38-40). Therefore, it would have been obvious to one of ordinary skill in the art at

the time of this invention to modify the method disclosed by Sansone to include email

messaging for notification of ticketed event information.

As per claim 6, Sansone further discloses wherein the method further comprises the act of printing a copy of the ticket at the remote computer system (columns 4, lines 32-33).

As per claim 7, Sansone further discloses wherein the ticket comprises a counterfeit deterrent that operates to prevent a redeemable ticket from being produced by the act of photocopying the printed ticket, such that the act of printing a copy of the ticket at the remote computer system includes the act of printing the counterfeit deterrent on the printed copy of the ticket (column 3, lines 44-54).

As per claim 8, Sansone further discloses wherein the counterfeit deterrent includes a transparent image, such that a photocopy image of the counterfeit deterrent comprises a substantially opaque image (column 3, lines 34-43).

8.   **Claims 10-12, 15, 19-21, 23-29, and 31-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone.

As per claim 10, Sansone fails to explicitly disclose wherein the authentication information comprises an event identification number. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to comprise the authentication information of an event identification number. If a venue operates for

multiple events, it would require that a specific identification be given to each event to identify that the ticket is being redeemed for the correct affair.

As per claim 11, Sansone fails to explicitly disclose wherein the authentication information comprises an incremental count number. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to comprise the authentication information of an incremental count number. If multiple purchasers were attending the event, it would be obvious to identify each purchaser by count number to identify when the ticket was obtained.

As per claim 12, Sansone fails to explicitly disclose wherein the authentication information comprises a random number. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to comprise the authentication information of a random number. If multiple purchasers were attending a multitude of events, it would be obvious to identify each ticket with a random number so that counterfeiters would not be able to determine the sequence of tickets for duplication.

As per claims 15 and 19, Sansone fails to explicitly disclose wherein the at least one barcode comprises a Code 39 barcode and a PDF-417 barcode. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to comprise the barcode of any type because there is no disclosure as to the criticality as to the form of barcode used for authentication.

As per claim 20, Sansone further discloses wherein the authentication information

comprises at least one of an event identification number, an incremental count number,

a random number, and user input (column 10, lines 1-15).

As per claim 21, Sansone further discloses wherein the ticket further comprises a

counterfeit deterrent, and wherein the counterfeit deterrent includes a transparent

image, such that a photocopy image of the counterfeit deterrent comprises a

substantially opaque image (column 3, lines 35-54).

As per claim 23, Sansone fails to explicitly disclose wherein the method further

comprises the act of receiving at the event computer system a copy of the ticket

authentication information. However, at the time of the invention, it would have been

obvious to one of ordinary skill in the art to receive a copy of the ticket authentication

information at the event computer. If the event computer system were used to validate

the printed ticket with the information stored in the database, the event computer

inherently would have to receive the data to validate.

As per claim 24, Sansone further discloses wherein the copy of the ticket

authentication information is stored in a database, such that the act of receiving the

copy of the ticket authentication information comprises the act of accessing the

database (column 7, lines 22-30).

As per claim 25, Sansone fails to explicitly disclose wherein the database is connected to the remote server system, and wherein the act of accessing the database comprises the act of accessing the database over a network connection between the event computer system and the remote server system. However, at the time of the invention, it would have been obvious that the communication between the event computer system and remote server system is over a network.

As per claim 26, Sansone fails to explicitly disclose wherein the database is connected only to the event computer system. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the database only to the event computer system for matters of security.

As per claims 27 and 34, Sansone further discloses wherein the act of determining that the ticket authentication information is valid, comprises the act of comparing ticket authentication information located on the ticket with the ticket authentication information accessed from the database (column 7, lines 22-30).

As per claims 28 and 35, Sansone further discloses wherein ticket authentication information located on the ticket is contained in at least one of a Code 39 barcode and a PDF-417 barcode (column 2, lines 40-42), and wherein the ticket authentication

information comprises at least one of an event identification number, an incremental

count number, a random number, and user input (column 10, lines 1-16).

For the purpose of review of claim 29, the stated referenced claim 29 was changed to

claim 28. **As per claim 29,** Sansone further discloses wherein the act of determining

that the ticket authentication information is valid, further comprises the act of comparing

ticket authentication information with information provided by a user (column 7, lines 38-

41).

As per claim 31, Sansone fails to explicitly disclose wherein the act of accessing the

ticket authentication information from the remote server system database comprises the

act of receiving and loading a file from a disk, wherein the file comprises an electronic

copy of the authentication information from the remote server system database.

However, at the time of the invention, it would have been obvious to one of ordinary art

in the skill store the authentication information on a disk if the network connection were

unavailable.

As per claim 32, Sansone fails to explicitly disclose wherein the act of accessing the

ticket authentication information from the remote server system database comprises the

act of the event computer system accessing the remote server system database over a

network connection between the event computer system and the remote server system.

However, at the time of the invention, it would have been obvious to one of ordinary skill

in the art that the communication between the event computer system and remote server system is over a network.

As per claim 33, Sansone fails to explicitly disclose wherein the act of authenticating the ticket is performed while the event computer system is not engaged in network communication with the remote server system. However, at the time of the invention, it would have been obvious to one of ordinary skill in the art to authenticate the ticket information at the event computer system while not engaged in network communication with the remote server system for security purposes.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kay [U.S. Patent No. 6,223,166] discloses an encoded ticket issuing and collection system for remote purchases. Also, PC Magazine discloses electronic tickets that are stored on a PDA or cell phone for redemption at a ticketed event.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.
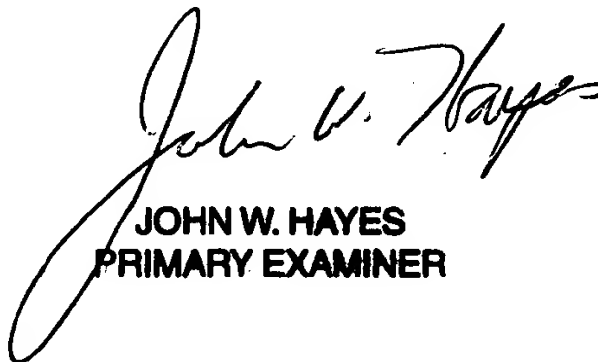
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

sss

JOHN W. HAYES
PRIMARY EXAMINER